

UPDATED INFORMATIVE DIGEST

Assembly Bill (AB) 1603 made changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) Homeless Assistance (HA) Program that became effective January 1, 2017. The CalWORKs HA program serves CalWORKs recipients who are homeless or at risk of homelessness. The CalWORKs recipients, or apparently eligible CalWORKs applicants who meet the criteria for being homeless, are eligible for payments to stay in temporary shelter (e.g., a motel) for up to 16 consecutive days. Following the 16-day period, even if the assistance unit (AU) did not receive all 16 days, the temporary shelter benefit is considered exhausted.

While receiving temporary HA, recipients are required to search for permanent housing. Once permanent housing is located, recipients may be eligible to receive permanent HA within one working day of the request. Permanent HA may consist of assistance with the security deposit, which may include last month's rent, with the total not to exceed twice the amount of the monthly rent. The recipient may also receive assistance with the utility deposit, if required. For recipients facing eviction, HA may provide up to two months of rent arrearages. Rent and rent arrearages may not exceed 80 percent of the AU's total monthly household income.

These proposed regulations amend CalWORKs regulations to comply with AB 1603 by repealing the once-in-a-lifetime limit placed on temporary and permanent HA benefits. Under the new law, both temporary and permanent HA shall be available to an eligible AU once every 12 months, or more frequently with exceptions.

In addition, the proposed regulations will make other technical, conforming changes, such as adding and renumbering of sections and amending cross references as necessary.

The Department considered other possible related regulations in this area, and found that these are the only regulations dealing in this subject area (CalWORKs Homeless Assistance) and, therefore, the Department finds that these proposed regulations are compatible and consistent with the intent of the Legislature in adopting AB 1603, as well as with existing state regulations.

This regulatory action will benefit CalWORKs recipients facing homelessness by providing additional HA benefits, if needed, by eliminating the once-in-a-lifetime restriction currently placed on CalWORKs HA and provides that CalWORKs HA is now available once every 12 months to eligible recipients. All of these changes will allow more low-income families to qualify for CalWORKs HA benefits and help them to achieve self-sufficiency. Thus, the proposed regulatory action creates a positive impact to public health and safety.

Post-Hearing Changes

Following the 45-Day Public Comment Period from May 12, 2017 to June 27, 2017, no testimony was received to the proposed regulations; however, non-substantive changes were made to the regulations text. Those changes include:

Amending Section 44-211.51 to clarify temporary shelter payment is only available during consecutive 16-day period.

Amending Section 44-211.513 to change a reference from Section 44-211.52 to Section 41-211.522 to more accurately reference the situation where an AU can get temporary HA payments after receiving permanent HA.

Amending Section 44-211.513(b) to remove the words "12 months" and "period of homelessness begins."

Amending Section 44-211.513(b)(1) to differentiate between the period of homelessness and the 12-month period of eligibility.

Amending Section 44-211.513(b)(2) to add the statement, "the once every 12-month benefit."

Amending Section 44-211.513(b)(3) to differentiate between the period of homelessness and the 12-month period of eligibility.

Amending Section 44-211.513(c) to change a reference from Section 44-211.52 to Section 44-211.522 to more accurately reference the situation in which an AU would still be eligible for temporary HA despite already having received permanent HA.

Amending Section 44-211.514 to remove the reference to having received HA "at any time" because these benefits are now available once a year.

Amending Handbook Section 44-211.514(d)(1) to modify verbiage to say 12-month "limit on eligibility" rather than 12-month "period."

Amending Handbook Section 44-211-514(d)(3) to more clearly illustrate an example of a client receiving permanent HA after receiving temporary HA so long as it is the same instance of homelessness.

Amending Handbook Section 44-211.546(a) to refer to the "12-month limit on eligibility" rather than the "12-month period."

Amending Handbook Section 44-211.546(c) to use current dates and to renumber subsections to better align with other handbook HA samples.